

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TORRI MONTAGUE DURDEN

Case No. 21-11035

Plaintiff,
v.

Stephanie Dawkins Davis
United States District Judge

ROLAND PRICE, *et al*,

Defendants.

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**OPINION AND ORDER ACCEPTING AND ADOPTING
THE MAGISTRATE JUDGE’S MARCH 24, 2022
REPORT AND RECOMMENDATION (ECF No. 16)**

Currently before the Court is Magistrate Judge David R. Grand’s March 24, 2022 Report and Recommendation. (ECF No. 16). Magistrate Judge Grand recommends granting in part and denying in part Defendants’ motion for summary judgment. The Court is fully advised in the premises and has reviewed the record and the pleadings. Neither party has filed objections. “[T]he failure to object to the magistrate judge’s report[] releases the Court from its duty to independently review the matter.” *Hall v. Rawal*, 2012 WL 3639070 (E.D. Mich. Aug. 24, 2012) (citing *Thomas v. Arn*, 474 U.S. 140, 149 (1985)). The Court nevertheless agrees with the Magistrate Judge’s recommended disposition. Therefore, the Court **ACCEPTS** and **ADOPTS** the Magistrate Judge’s Report and Recommendation (ECF No. 16) and **GRANTS** in part and **DENIES** in part Defendants’ motion for

summary judgment (ECF No. 13). More specifically, summary judgment is **GRANTED** as to Plaintiff's official capacity claims, as well as his claims regarding Defendant Price's alleged retaliatory issuance of a misconduct ticket and events that allegedly occurred on March 19, 2021, but **DENIED** as to Plaintiff's claims based on the conduct alleged in Grievance No. SRF-0657.

IT IS SO ORDERED.

Date: May 2, 2022

s/Stephanie Dawkins Davis
Stephanie Dawkins Davis
United States District Judge

I hereby certify that a copy of the foregoing document was served upon counsel of record on May 2, 2022, by electronic and/or ordinary mail.

s/R. Loury
Case Manager